

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Genentech, Inc.Application No./Patent No.: 10/005,438 Filed/Issue Date: 03-Dec-2001

Entitled: Treatment of tumors and viral infections with a hybrid conjugate of interferon and an immunoglobulin Fc

Genentech, Inc., a Corporation  
 (Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest  
 (The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: the inventor(s) To: Tanox Biosystems, Inc.  
 The document was recorded in the United States Patent and Trademark Office at  
 Reel 7905, Frame 0667, or for which a copy thereof is attached.
2. From: Tanox Biosystems, Inc. To: Tanox, Inc. (TX, USA Corporation)  
 The document was recorded in the United States Patent and Trademark Office at  
 Reel 020105, Frame 0437, or for which a copy thereof is attached.
3. From: Tanox, Inc. (TX, USA Corporation) To: Tanox, Inc. (DE, USA Corporation)  
 The document was recorded in the United States Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☒ Additional documents in the chain of title are listed on a supplemental sheet.

☒ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

X Paul S. Naik  
 Signature  
Paul S. Naik  
 Printed or Typed Name

X 11/20/07  
 Date  
(650) 225-5530  
 Telephone Number

Associate General Counsel, Director  
 Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Supplemental Sheet**

**STATEMENT UNDER 37 C.F.R 3.73(b)**

B. ☒ (Cont'd) A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

4. From: Tanox, Inc. (DE, USA Corporation) to Genentech, Inc.  
the document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.



## Office of the Secretary of State

### APOSTILLE

(Convention de La Haye du 5 Octobre 1961)

- |                              |                          |
|------------------------------|--------------------------|
| 1. Country:                  | United States of America |
| This Public document         |                          |
| 2. has been signed by        | Geoffrey S. Connor       |
| 3. acting in the capacity of | Secretary of State       |
| 4. bears the seal/stamp of   | State of Texas           |

### CERTIFIED

- |  |                |
|--|----------------|
| 5. at Austin, Texas                                    |                |
| 6. on August 2, 2004                                   |                |
| 7. by the Director, Business & Public Filings Division |                |
| 8. Certificate No. C00003131                           |                |
| 9. Seal  | 10. Signature: |



*Lorna Wansdorf*

Director, Business & Public Filings Division



## Office of the Secretary of State

The undersigned, as Secretary of State of Texas, does hereby certify that articles of merger were filed in this office on January 27, 2000. The articles of merger provided the following:

TANOX, INC.	79020300	(Constituent entities) TX, USA	Domestic Business Corporation
-------------	----------	-----------------------------------	----------------------------------

TANOX, INC.		Were merged with and into (Surviving entity) DE, USA	Foreign Business Corporation
-------------	--	--	---------------------------------

In testimony whereof, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in Austin, Texas on August 02, 2004.



A handwritten signature in black ink, appearing to read "G. Connor".

Geoffrey S. Connor  
Secretary of State



## Office of the Secretary of State

### APOSTILLE

(Convention de La Haye du 5 Octobre 1961)

- |                              |                          |
|------------------------------|--------------------------|
| 1. Country:                  | United States of America |
| This Public document         |                          |
| 2. has been signed by        | Geoffrey S. Connor       |
| 3. acting in the capacity of | Secretary of State       |
| 4. bears the seal/stamp of   | State of Texas           |

### CERTIFIED

- |  |                |
|--|----------------|
| 5. at Austin, Texas                                    |                |
| 6. on August 2, 2004                                   |                |
| 7. by the Director, Business & Public Filings Division |                |
| 8. Certificate No. C00003132                           |                |
| 9. Seal  | 10. Signature: |



*Lorna Wansdorf*

Director, Business & Public Filings Division

Corporations Section  
Box 13697  
Austin, Texas 78711-3697



Geoffrey S. Connor  
Secretary of State

## Office of the Secretary of State

The undersigned, as Secretary of State of Texas, does hereby certify that the document, Application For Certificate Of Authority for TANOX, INC. (filing number: 13050306), a DELAWARE, USA Foreign Business Corporation, was filed in this office on January 31, 2000.

It is further certified that the entity status in Texas is active.

It is further certified that our records indicate NANCY T CHANG as the designated registered agent for the above named corporation and the designated registered office for said corporation is as follows:

10301 STELLA LINK  
HOUSTON, TX - 77025 USA

In testimony whereof, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in Austin, Texas on August 02, 2004.



A handwritten signature in black ink, appearing to read "G. Connor".

Geoffrey S. Connor  
Secretary of State

## ASSIGNMENT

WHEREAS, **Tanox, Inc.**, ASSIGNOR, a Delaware corporation, having a place of business at 10555 Stella Link, Houston, TX 77025, has all right, title and interest in the United States patent applications and patents identified in the attached Schedule A, and all inventions disclosed, described and claimed therein ("the Inventions");

AND WHEREAS, **Genentech, Inc.**, ASSIGNEE, a Delaware corporation having a place of business at 1 DNA Way, South San Francisco, CA 94080, is desirous of obtaining any and all right, title and interest to the Inventions, including the right to bring an action and recover damages for past infringements, if any;

AND WHEREAS, ASSIGNOR, is desirous of assigning the entire right, title and interest to the Inventions, including the right to bring an action and recover damages for past infringement, if any;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the said ASSIGNOR, has sold, assigned, transferred and set over, and does hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, all ASSIGNOR'S rights, title and interest in the Inventions including the right to bring an action and recover damages for past infringement, if any; and all rights, title and interest in any corresponding United States patent applications and all divisions, renewals and continuations thereof; and all Patents which may be granted thereon and all reissues and extensions thereof; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for the Inventions, and all extensions, renewals and reissues thereof;

AND ASSIGNOR HEREBY authorizes and requests said ASSIGNEE, its successors, legal representatives, or assigns to insert when known the application number and filing date of any international, regional, or national application already filed or filed hereafter for the Inventions: Application No. \_\_\_\_\_ Filing Date \_\_\_\_\_;

AND ASSIGNOR HEREBY covenants and agrees that it has not executed, and will not execute, any agreement in conflict herewith.

AND ASSIGNOR HEREBY further covenants and agrees that it will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to it respecting the Inventions, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, and reissue applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for the Inventions.

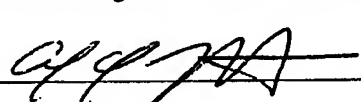
AND ASSIGNOR HEREBY further covenants and agrees that it has read this Assignment, knows and understands its contents, and comprehends and agrees to all of its terms, conditions and meanings and their significance.

IN TESTIMONY WHEREOF, the person executing this Assignment in a representative capacity on behalf of the ASSIGNOR warrants that he is fully authorized and empowered to do so and signs his name on the date indicated below.

ASSIGNOR: **Tanox, Inc.**

Ashraf Hanna Authorized to sign on behalf of Tanox, Inc.

Signature:

 PW

Position/Title:

Vice President

Address:

1055 Stella Link

Houston, TX 77025

Date:

\_\_\_\_\_

State of

)

County of

) SS:

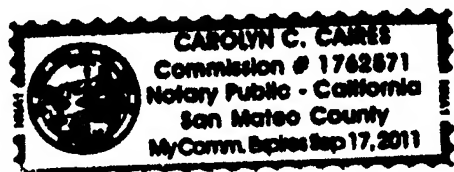
)

On 13 November 2007, before me, Carolyn C. Cates, Notary Public, personally appeared Ashraf Hanna, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument

and acknowledged to me that he executed the same in his authorized capacity, and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Carolyn C. Cairns





## Schedule A

U.S. Application No.	Filing Date	U.S. Patent No.	Issue Date
07234399	19-Aug-1988	5149782	22-Sep-1992
07531789	01-Jun-1990		
08089990	09-Jul-1993	6309880	30-Oct-2001
07369479	21-June-1989	5079344	
07455080	22-Dec-1989	5089603	18-Feb-1992
07760765	16-Sep-1991		
07783819	28-Oct-1991		
07783268	28-Oct-1991		
07783818	28-Oct-1991		
07783270	28-Oct-1991		
07788121	04-Nov-1991		
07788116	04-Nov-1991		
07788120	04-Nov-1991		
07788122	04-Nov-1991		
07785565	04-Nov-1991	5866129	02-Feb-1999
07788124	04-Nov-1991		
07788117	04-Nov-1991		
08077756	15-Jun-1993		
08095068	20-Jul-1993	5362643	08-Nov-1994
08140721	22-Oct-1993	5484907	16-Jan-1996
08249558	26-May-1994		
08619790	20-Mar-1996	5690934	25-Nov-1997
07531787	01-Jun-1990	5281699	25-Jan-1994
07562201	03-Aug-1990		
07902449	19-Jun-1992	5298420	29-Mar-1994
07675654	27-Mar-1991		
08264649	23-Jun-1994		
08855744	05-May-1997	6685930	03-Feb-2004
07688000	19-Apr-1991		
07819449	10-Jan-1992		
07926566	06-Aug-1992		
07981276	25-Nov-1992	6129916	10-Oct-2000
07993291	18-Dec-1992	5872222	16-Feb-1999
08011130	28-Jan-1993	6106835	22-Aug-2000
08035723	23-Mar-1993	6197298	06-Mar-2001
08046364	08-Apr-1993	6117982	12-Sep-2000
08082742	25-Jun-1993		
07692299	26-Apr-1991	5245015	14-Sep-1993
08080222	18-Jun-1993		
07797692	25-Nov-1991	5266478	30-Nov-1993
07848249	09-Mar-1992	5213960	25-May-1993
07905040	26-Jun-1992	5256542	26-Oct-1993

### Schedule A (cont'd)

U.S. Application No.	Filing Date	U.S. Patent No.	Issue Date
08021619	17-Feb-1993	5326696	05-Jul-1994
07994126	21-Dec-1992		
08263258	21-Jun-1994	5670626	23-Sep-1997
08866849	29-May-1997		
08410360	24-Mar-1995	5691447	25-Nov-1997
08711175	09-Sep-1996	5739306	14-Apr-1998
08707801	04-Sep-1996	5728814	17-Mar-1998
08709047	06-Sep-1996	5652333	29-Jul-1997
08709006	06-Sep-1996	5731428	24-Mar-1998
08986865	15-Dec-1997		
08579211	28-Dec-1995		
08719331	25-Sep-1996	5723125	03-Mar-1998
09268787	16-Mar-1999		
09418734	15-Oct-1999		
08994719	19-Dec-1997	5908626	01-Jun-1999
10005438	03-Dec-2001		
10917899	13-Aug-2004		
60075328	20-Feb-1998		
09253689	29-Jan-1999		
09821255	29-Mar-2001	6956107	18-Oct-2005
11139447	27-May-2005	7112327	26-Sep-2006
11478088	29-Jun-2006		
11478089	29-Jun-2006		
60083575	30-Apr-1998		
09303155	30-Apr-1999		
10071962	08-Feb-2002		
11483070	07-Jul-2006		
60108816	17-Nov-1998		
09810883	16-Mar-2001	7118743	10-Oct-2006
10213216	06-Aug-2002		
60191429	23-Mar-2000		
09816839	23-Mar-2001	6998468	14-Feb-2006
10908738	24-May-2005		
09682672	04-Oct-2001	6534058	18-Mar-2003
60265701	01-Feb-2001		
10061910	01-Feb-2002		
60313137	17-Aug-2001		

### Schedule A (cont'd)

U.S. Application No.	Filing Date	U.S. Patent No.	Issue Date
10222464	17-Aug-2002		
60315197	27-Aug-2001		
10488161	27-Feb-2004		
60337542	05-Nov-2001		
10286927	02-Nov-2002		
11901060	14-Sep-2007		
60345909	03-Jan-2002		
10500784	02-Jul-2004		
07197766	23-May-1988		
07898383	09-Jun-1992		
08015248	05-Feb-1993	6657050	02-Dec-2003
10528326	07-Mar-2006		
60412157	19-Sep-2002		
10589068	10-Aug-2006		
60521047	11-Feb-2004		
60568374	05-May-2004		
10529051	24-Mar-2005		
60414062	27-Sep-2002		
60591719	28-Jul-2004		
11658414	26-Jan-2007		
10585881	12-Jul-2006		
60481891	13-Jan-2004		
11597768	27-Nov-2006		
60574734	27-May-2004		
60449069	21-Feb-2003		
10545700	16-Aug-2005		
10562233	21-Dec-2005		
60483360	27-Jun-2003		
60470681	15-May-2003		
10556998	23-May-2006		
60525342	26-Nov-2003		
10580703	25-May-2006		
60532130	23-Dec-2003		
10583927	22-Jun-2006		
60578194	09-Jun-2004		
60580422	17-Jun-2004		

**Schedule A (cont'd)**

<b>U.S. Application No.</b>	<b>Filing Date</b>	<b>U.S. Patent No.</b>	<b>Issue Date</b>
11629047	08-Dec-2006		
60918136	15-Mar-2007		
11885917	07-Mar-2006		
60659547	08-Mar-2005		
60756329	05-Jan-2006		
60837975	16-Aug-2006		
10583926	22-Jun-2006		
60793369	19-Apr-2006		
60689623	10-Jun-2005		
60733763	04-Nov-2005		
60856505	02-Nov-2006		
60903693	27-Feb-2007		
60308068	26-Jul-2001		